Indiana Department of Education   **Division of Special Education**

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	**1532.00**
COMPLAINT INVESTIGATOR:	**Roger Hubbard**
DATE OF COMPLAINT:	**February 22, 2000**
DATE OF REPORT:	**March 8, 2000**
REQUEST FOR RECONSIDERATION:	**no**
DATE OF CLOSURE:	**April 7, 2000**

COMPLAINT ISSUE:

Whether the Elkhart Community School Corporation violated:

– 511 IAC 7-10-3 with regard to the school's alleged failure to conduct an evaluation and convene the case conference committee within forty instructional days from the date of written parental consent.

FINDINGS OF FACT:

1. The Student is in the seventh grade and has been evaluated for special education and related services.

2. The parent requested testing for the Student on December 10, 1999. The forty-day time frame was determined to have ended on February 23, 2000. A parent conference was held on February 23, 2000, to discuss individual achievement, interventions and accommodations. However, this meeting with the parent was not considered a case conference committee (CCC) meeting. The school admits violating the forty instructional day time line to evaluate and convene a CCC meeting. A CCC meeting is scheduled for the week of March 6, 2000.

CONCLUSION:

1. Finding of Fact #2 indicates that the school failed to evaluate and convene a CCC meeting within forty instructional days. Therefore, a violation of 511 IAC 7-10-3 is found.

The Department of Education, Division of Special Education requires the following corrective action based on the Findings of Fact and Conclusions listed above.

CORRECTIVE ACTION:

The Elkhart Community School Corporation shall:

1. Review and revise, if necessary, the current procedure for ensuring that individual educational evaluations and CCC meetings are conducted within the forty instructional day timeline. Provide an assurance statement no later than April 7, 2000, that such a review has occurred.

2. If not already convened, convene the CCC for this student no later than March 14, 2000. Submit a copy of the CCC summary and IEP to the Division no later than March 26, 2000.